

Lloyd Bernstein, OSB #002030
E-mail: lloyd.bernstein@bullivant.com
Richard Williams, OSB #144638
E-mail: richard.williams@bullivant.com
BULLIVANT HOUSER BAILEY PC
One SW Columbia Street, Suite 800
Portland, Oregon 97204-4022
Telephone: 503.228.6351
Facsimile: 503.295.0915
Attorneys for Defendant
The Cincinnati Insurance Company

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

GOOD GEORGE LLC, an Oregon limited
liability company,

Plaintiff,

v.

THE CINCINNATI INSURANCE
COMPANY, an Ohio corporation,

Defendant.

Civil No.: 3:20-cv-01705

NOTICE OF REMOVAL

**PURSUANT TO 28 U.S.C. §§ 1441 AND
1446**

**MULTNOMAH COUNTY CIRCUIT
COURT NO. 20CV30519**

Defendant The Cincinnati Insurance Company (“Cincinnati”) submits this Notice of Removal pursuant to 28 U.S.C. §§ 1441 and 1446(a) for the purpose of removing the above-entitled action from the Circuit Court of the State of Oregon for the County of Multnomah (“Multnomah County Circuit Court”) to the United States District Court for the District of Oregon, and states in support of this removal as follows.

I. ENTITLEMENT TO REMOVAL

On or about September 3, 2020, Cincinnati was served with copies of Summons and Complaint in an action filed by plaintiff Good George LLC (“Plaintiff”), entitled *Good George LLC v. The Cincinnati Insurance Company*, Case No.: 20CV30519, filed in Multnomah County Circuit Court (the “Complaint”). To Cincinnati’s knowledge, no further proceedings have occurred in this action. This Notice of Removal is filed within thirty days after Cincinnati received service of the Complaint, as required by 28 U.S.C. § 1446(b).

This is a civil action of which this Court has original jurisdiction pursuant to 28 U.S.C. § 1332, and is one which may be removed to this Court by Cincinnati pursuant to the provisions of 28 U.S.C. § 1441, in that it is a civil action between citizens of different states, and the matter in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs.

As alleged in the Complaint, Plaintiff is an Oregon limited liability company with its principal place of business in Portland, Oregon. *See* Complaint at ¶ 1. As a limited liability company, the Plaintiff is considered a citizen of every state in which its owners or members are citizens. *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006). According to the publicly available information on the Oregon Secretary of State website and on information and belief, Plaintiff’s members are James Brunberg and Kevin Cradock. On information and belief, both James Brunberg and Kevin Cradock are citizens of and domiciled in the State of Oregon. Thus, on information and belief, Plaintiff is a citizen of the State of Oregon.

Cincinnati is now, and at all times referred to in the Complaint, a citizen of the State of Ohio with its principal place of business in the State of Ohio. Therefore, the parties satisfy the requirements for diversity of citizenship under 28 U.S.C. § 1332.

Under 28 U.S.C. § 1332(a), diversity subject matter jurisdiction requires that the matter in controversy “exceed[] the sum or value of \$75,000, exclusive of interest and costs.” 28 U.S.C.A. § 1332(a). This requirement is met. A notice of removal “need include only a plausible allegation that the amount in controversy exceeds the jurisdictional threshold,” *Dart Cherokee Basin Operating Co. v. Owens*, 574 U.S. 81, 89 (2014), and if contested, a court will determine whether the threshold is met by a preponderance of the evidence. *Id.* at 88; *see also Chavez v. JPMorgan Chase & Co.*, 888 F.3d 413, 416 (9th Cir. 2018). In declaratory relief actions, “the amount in controversy is measured by the value of the object of the litigation.” *Corral v. Select Portfolio Servicing, Inc.*, 878 F.3d 770, 775 (9th Cir. 2017) (quoting *Cohn v. Petsmart, Inc.*, 281 F.3d 837, 840 (9th Cir. 2002)). Such value is determined by “the pecuniary result to either party which the judgment would directly produce.” *Id.* (quotation marks and citation omitted). Here, the Complaint states that Plaintiff’s claims amount to \$500,000 in value. *See* Complaint at ¶¶ 43 and 44; *see also* Complaint’s Prayer for Relief at ¶ 1.

Under 28 U.S.C. § 1441, this Court is the appropriate forum in which to file this Notice of Removal because the United States District Court for the District of Oregon, Portland Division is the federal judicial district embracing Multnomah County, Oregon, the county in which the underlying action was filed.

II. PROCESS AND PLEADINGS

A copy of all process, pleadings, and orders served on Cincinnati in the underlying action are attached to this Notice of Removal as Exhibit A, as required by 28 U.S.C. § 1446(a).

III. FILING IN OREGON MULTNOMAH COUNTY CIRCUIT COURT

Pursuant to 28 U.S.C. § 1446(d), written notice of the filing of this Notice of Removal will be promptly given to all adverse parties and shall be filed with the clerk of the Multnomah County Circuit Court.

WHEREFORE, Cincinnati respectfully requests that this action be removed to and proceed hereafter in this Court, and that no further proceedings be had in Multnomah County Circuit Court.

DATED: October 2, 2020

BULLIVANT HOUSER BAILEY PC

By s/ Lloyd Bernstein
Lloyd Bernstein, OSB #002030
Richard Williams, OSB #144638
Telephone: 503.228.6351
Attorneys for Defendant
The Cincinnati Insurance Company

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